

Notice of Allowability

Application No.

10/692,508

Examiner

Khanh B. Pham

Applicant(s)

NOVIK, LEV

Art Unit

2166

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 6/4/08.
2. ☒ The allowed claim(s) is/are 1-5,7-10,21-25 and 27-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 8/20/08.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. David Platz, Applicant's Representative on August 20, 2008.

The application has been amended as follows:

In the claims:

- **Claims 11-20 have been canceled.**
- Claims 21 has been amended as follows:

11-20. (Canceled)

21. (Currently Amended) A computer-readable storage medium comprising computer-readable instructions for synchronizing a plurality of instances for a data platform, said computer-readable instructions comprising instruction for:

storing a plurality of items in a first instance of a data platform, each item stored in the first instance includes at least one change unit, wherein the data platform is configured to track changes to change units;

storing, by the first instance of the data platform, a change to a first change unit of a first item, wherein the first item is a child of a parent item and the first item and the parent item are included in the plurality of items;

storing, by the first instance of the data platform after the change to the first change unit of the first item, a change to a parent change unit of the parent item;

uniquely enumerating, by the first instance of the data platform, changes to change units in sequential order wherein each change unit is identified by a change number;

maintaining, by the first instance of the data platform, a separate vector, wherein the separate vector corresponds to the enumerated change units in sequential order ~~changes to the first instance of the data platform~~, and a most recent known change number of a second instance of the data platform, wherein the separate vector represents all changes that have been made to the first instance of the data platform;

receiving, by the first instance of the data platform from the second instance of the data platform, a synchronization request, wherein the synchronization request includes a second vector associated with the second instances of the data platform;

determining, by the first instance of the data platform, that the second instance of the data platform does not include the change to the first change unit of the first item and the change to the parent change unit of the parent item in accordance with the second vector; and

transmitting, by the first instance of the data platform, the change to the parent change unit of the parent item prior to transmitting the change to the first change unit of the first item.

Allowable Subject Matter

2. Claims 1-5, 7-10, 21-25, 27-30 are allowed. (Re-numbered as 1-18)

3. The following is an examiner's statement of reasons for allowance:

The examiner finds applicant's argument concerning Peng and LaRue references (Applicant's amendment filed 5/5/2008, pages 2-3) persuasive. Neither Peng nor LaRue teach the combination of claimed elements including: "maintaining by the first instance of the data platform, a separate vector, wherein the separate vector corresponds to the enumerated change units in sequential order, and a most recent know change number of a second instance of the data platform, wherein the separate vector represents all changes that have been made to the first instance of the data platform" "transmitting by the first instant of the data platform, the change to the parent change unit of the parent item prior to transmitting the change to the first change unit of the first item" as recited in independent claims 1, 21. Thus, prior art of record neither renders obvious nor anticipates the combination of claimed elements in light of the specification. After a further search and a thorough examination of the present application and in light of the prior art made of record, claims are allowed.

Dependent claims 2-5, 7-10, 22-25, 27-30 are allowed at least by virtue of their dependency from claims 1, 21.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (571) 272-4116. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Khanh B. Pham/
Primary Examiner
Art Unit 2166

August 20, 2008